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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,549	03/03/2005	Junshi Sakamoto	038922.55989US	9217

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EXAMINER

FOOTLAND, LENARD A

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

This application contains claims directed to the following patentably distinct species of the claimed invention: the species of Figure(s) 1 versus that of Fig(s). 2 versus Fig(s). 3. Then elect among the seals of fig's. 4 v 5 v 6 v 7 v 8.

The species are independent or distinct because they contain mutually exclusive features.

Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, AND A LISTING OF **ALL** CLAIMS READABLE THEREON (**NOT**, FOR EXAMPLE, "AT LEAST CLAIMS..."), INCLUDING **ANY CLAIMS SUBSEQUENTLY ADDED**, AND IF THE AMENDMENT OF ANY CLAIMS RESULTS IN A CHANGE OF THE SPECIES THEY READ UPON, THAT TOO SHOULD BE INDICATED. FAILURE TO DO SO MAY RESULT IN A HOLDING OF NONRESPONSIVENESS. (Note that any "schematically" illustrated elected species may not schematically represent plural embodiments varying claimed features so as to defeat restriction, unless clarified by drawing corrections, to be responsive. If those details are illustrated in other figure[s], that other figure[s] should be identified and, if there are plural embodiments, each such embodiment should be considered a separate species, and if the "schematic" figure is desired to be prosecuted, an election of one

embodiment as the elected species should be made.) An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.¹

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).

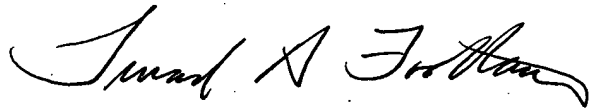
Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.

The elected species is limited to the features set forth in the elected figures, and does not include features not illustrated in those figures, or illustrated in other figures. Accordingly, applicant should review all claims to ensure that all features of the elected species are properly illustrated, as required, in order to avoid a holding that an unillustrated feature does not form part of the elected species.

¹ Applicants may wish to consider listing claims readable with care in view of the possible consequences of having to later cancel them.

Art Unit: 3682

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lenard A. Footland, whose telephone number is (571) 272-7103.

A handwritten signature in cursive script, reading "Lenard A. Footland". The signature is written in black ink and is positioned above the printed name.

Lenard A. Footland

Primary Examiner

Technology Center 3600

Art Unit 3682

laf

November 17, 2006